

SUPPORT FOR THE AMENDMENTS

Claims 1-14 were canceled previously.

Claims 25 and 31 have been amended.

Claims 32-47 have been added.

Support for the amendment of Claim 25 is provided by original Claim 8. Support for the amendment of Claim 31 is provided by original Claims 1 and 2 and page 7, lines 25-26. New Claim 32 is supported by Example 4 (page 30, line 14 to page 32, line 21). Support for new Claims 33-47 is provided by original Claims 1-14 and previously pending Claims 15-31, as well as the specification as originally filed.

No new matter has been entered by the present amendment

REMARKS

Claims 15-47 are pending in the present application.

Applicants wish to thank Examiner Mertz for the indication that Claims 15-19 are allowable (paper number 14, page 4).

The rejection of Claim 31 under 35 U.S.C. §112, second paragraph, is obviated by amendment.

Applicants have amended Claim 31 to remove the language that the Examiner has found to be objectionable. In addition, Applicants have presented new Claim 32 drawn to a mutant form of the protein represented by SEQ ID NO: 4. Applicants submit that this claim falls within the scope of the elected group and should be entered and examined on its merits. To this end, Applicants submit that new Claim 32 is definite within the context of 35 U.S.C. §112, second paragraph, as this claim clearly defines the scope of mutants permitted.

Applicants request withdrawal of this ground of rejection.

Present Claims 15, 31, and 32 are drawn to an isolated protein consisting of the amino acid sequence set forth in SEQ ID NO: 4 and mutants thereof, of which the Examiner has indicated Claims 15 and 31 are allowable (paper number 14, page 4). Claims 16-19 (and Claims 33-36) are drawn to pharmaceutical compositions, which contain the allowed protein of SEQ ID NO: 4 (and mutants thereof). Claims 20-30 (and Claims 37-47) are drawn to various methods that utilize the allowed protein of SEQ ID NO: 4 (and mutants thereof). Applicants remind the Examiner that MPEP §821.04 states:

...if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims

which depend from or otherwise include all the limitations of the allowable product claim *will be rejoined*. (emphasis added)

Accordingly, since the Examiner has found the protein of SEQ ID NO: 4 allowable, Applicants note that process Claims 20-30 (all of which depend from the allowed claim) should be rejoined and subsequently allowed. Moreover, new Claim 32 drawn to a mutant form of the protein represented by SEQ ID NO: 4 should also be allowable and, therefore, Claims dependent therefrom, including process Claims 37-47, should be rejoined and subsequently allowed.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

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